

Assembly

Committee Report

The committee on **Children and Families**, reports and recommends:

Assembly Bill 284

Relating to: child sex offenders working or volunteering with children and providing a penalty.

By Representatives Gundrum, Ladwig, Freese, Vrakas, Staskunas, Gronemus, Plale, Owens, Ainsworth, Porter, Petrowski, Sykora, Brandemuehl, Spillner, Musser, Seratti, Albers, Stone, Handrick, Pettis, Leibham, Nass, Kedzie, Montgomery, Jeskewitz, Rhoades, Kelso, Kestell, Hundertmark, Underheim, Kreibich and Olsen; cosponsored by Senators Darling, Baumgart, Zien, Schultz, A. Lasee, Lazich, Roessler, Cowles and Farrow.

PASSAGE RECOMMENDED, Ayes 9, Noes 0, Absent 1

Ayes: (9) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Colon and Sinicki.

Noes: (0) None.

Absent: (1) Representative Coggs.

Representative Bonnie Ladwig
Chair

Assembly

Record of Committee Proceedings

Committee on Children and Families

Assembly Bill 284

Relating to: child sex offenders working or volunteering with children and providing a penalty.

By Representatives Gundrum, Ladwig, Freese, Vrakas, Staskunas, Gronemus, Plale, Owens, Ainsworth, Porter, Petrowski, Sykora, Brandemuehl, Spillner, Musser, Seratti, Albers, Stone, Handrick, Pettis, Leibham, Nass, Kedzie, Montgomery, Jeskewitz, Rhoades, Kelso, Kestell, Hundertmark, Underheim, Kreibich and Olsen; cosponsored by Senators Darling, Baumgart, Zien, Schultz, A. Lasee, Lazich, Roessler, Cowles and Farrow.

April 22, 1999

Referred to committee on Children and Families.

April 29, 1999

PUBLIC HEARING HELD

Present: (9) Representatives Ladwig, Jeskewitz, Kreibich, Freese, Grothman, Kestell, Miller, Colon and Sinicki.

Absent: (1) Representative Coggs.

Appearances for

- State Representative Mark Gundrum
- Dennis R. Krueger, Waukesha County District Attorney, Wisconsin District Attorney Association

Appearances against

- None.

Appearances for Information Only

- None.

Registrations for

- Dextra Hadnot, City of Milwaukee
- State Representative John Ryba

Registrations against

- None.

May 11, 1999

EXECUTIVE SESSION

Present: (9) Representatives Ladwig, Jeskewitz, Kreibich,
Freese, Grothman, Kestell, Miller, Colon and
Sinicki.

Absent: (1) Representative Coggs.


Moved by Representative Freese, seconded by Representative
Kestell, that **Assembly Bill 284** be recommended for passage.

Ayes: (9) Representatives Ladwig, Jeskewitz, Kreibich,
Freese, Grothman, Kestell, Miller, Colon and
Sinicki.

Noes: (0) None.

Absent: (1) Representative Coggs.

PASSAGE RECOMMENDED, Ayes 9, Noes 0, Absent 1


Janine Stippich
Committee Clerk



Representative Mark D. Gundrum
State Capitol, P.O. Box 8952, Madison, WI 53708
(608) 267-5158 ✉ (414) 425-2596

TO: All Legislators
FROM: State Representative Mark D. Gundrum
DATE: March 16, 1999
RE: Co-Sponsorship of LRB-1941/2 RELATING TO: Child Sex offenders working or volunteering with children and providing a penalty.
(The Child Sex Offender Bill.)

The Child Sex Offender Bill

I would like to invite all of my colleagues in the Wisconsin State Legislature to join me in co-sponsoring legislation to protect the children of our state from being exposed to individuals who have been convicted of engaging in illegal sexual acts with children between the ages of 13 to 16.

This bill is necessary as it closes a dangerous loophole in current Wisconsin law. Present law prevents criminals who have been convicted of engaging in sexual conduct with children 12 years old and younger from working with children. The law does not, however, presently prohibit criminals convicted of engaging in sexual conduct with children between the ages of 13 and 16 from working with children. LRB 1941/1 closes that dangerous loophole.

If you would like to join me in co-sponsoring **LRB 1941/2**, please contact my office at 267-5158 by **Thursday, April 1, 1999**. If you would like a copy of the LRB Analysis as well as the text of the bill, please contact my office and a copy will be sent to you immediately.

**PROPOSED TESTIMONY REGARDING ASSEMBLY BILL AB-284
THE CHILD SEX OFFENDER BILL**

Ladies and Gentlemen of the Committee for Children and Families, thank you for the opportunity to testify in favor of AB-284, the Child Sex Offender Bill. I am an Assistant District Attorney for Waukesha County and am currently the Director of the Sensitive Crimes Unit for that office. I speak to you today on behalf of the Waukesha County District Attorney's office and the Wisconsin District Attorney's Association, both of which endorse this proposed legislation.

The proposed legislation will address a concern that was brought to our attention regarding Section 948.13. The current legislation punishes as a crime an individual who has been convicted of a "serious child sex offense" who subsequently engages in an occupation or participates in a volunteer position that requires him or her to work or interact primarily and directly with children under 16 years of age. Under the current legislation, a serious child sex offense does not include an individual who is convicted of having sexual contact or sexual intercourse with a child under the age of 16 years. The proposed legislation includes in the definition of a serious child sex offense convictions for having sexual contact or intercourse with a child under the age of 16 years. The bill also addresses concerns that arise in certain instances by allowing an exemption from the prohibition if the offender meets certain criteria.

Our office became aware of this problem in November, 1998, when we received a referral from the Waukesha County Sheriff's Department alleging that a worker at a children's Bible camp was working with children after he had been convicted of aggravated criminal sexual abuse out of Illinois for an incident in which the defendant was accused of having penis to vagina intercourse with a child who had attained age 13, but was under the age of 17 years. The offender had been sentenced to three years prison for that offense. The allegations of that case involved the defendant forcing a child into a public rest room where she was assaulted. Under the current legislation, this individual would not be prohibited from working with children.

While the legislation was being drafted, our office received information regarding another individual who had been convicted of second degree sexual assault for having contact or intercourse with a child under the age of 16 who was driving a school bus.

I believe that the proposed legislation would deter individuals who have been convicted of serious child sex offenses from trying to place themselves in situations where they could be in contact with children, and punish those individual who violate the law for having contact with children.

For obvious reasons, there are sound policy reasons for adopting this legislation. I would urge you to quickly pass this bill out of committee so that it can be placed on the Fast Track to passage.

Again, thank you for the opportunity to speak to you today on behalf of Assembly Bill AB-284.

District Attorney
Paul E. Bucher

Deputy District Attorneys
Michael L. Bundy
Stephen J. Centinario, Jr.

Victim/Witness Program
Jennifer S. Miller, Coord.

Office Services Coordinator
Dani M. Danielski

Secretary Supervisor
Julie A. Delain

Waukesha COUNTY

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Michele W. Hulgaard
Robert J. Fletcher
Mark A. Langholz


Representative Mark Gundrum
State Capitol
P.O. Box 8952
Madison, WI 53708

RE: LRB 1941/1

Dear Representative Gundrum:

I am contacting you on the above listed proposal. As you know, Assistant District Attorney Dennis Krueger in my office contacted you earlier on and requested that you consider drafting legislation to include second degree sexual assault as a serious child sex offense under Section 948.13 (1)(a). I know Assistant District Attorney Krueger has contacted you on several occasions to modify or fine tune the legislation you are contemplating introducing. I am not sure if the LRB number I have listed above is still the LRB number of your most latest draft, but I do want to tell you that the Wisconsin District Attorneys Association considered this concept at its meeting on Friday, May 9, 1999. The Wisconsin District Attorneys Association unanimously endorsed your legislative proposal. We would encourage you to move forward with it as rapidly as possible. If there is anything more we can do to assist you in this regard, please let me know. Otherwise, we appreciate your efforts and interest in this area.

Very truly yours,


PAUL E. BUCHER
District Attorney
State Bar #1014958

jad

cc: Dennis Krueger
Assistant District Attorney
Waukesha County

Patrick Kenney
Assistant District Attorney
Milwaukee County